

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)
)
)
Plaintiff,) CRIMINAL NO. 15-4275 JB
) CRIMINAL NO. 15-4268-24 JB
vs.) CRIMINAL NO. 16-1613-2 JB
)
)
CHRISTOPHER GARCIA,)
)
Defendant.)

**UNITED STATES' UNOPPOSED MOTION TO EXCEED THE 24-PAGE LIMIT
FOR ITS RESPONSE IN OPPOSITION TO DEFENDANT CHRISTOPHER GARCIA'S
SUPPLEMENTAL BRIEF IN SUPPORT OF THE OPPOSED MOTION TO COMPEL
THE IDENTIFICATION OF CONFIDENTIAL INFORMANTS [DOCS. 146, 817 and 286]**

The United States of America moves the Court to extend the 24-page limit for its response to Defendant Christopher Garcia's Supplemental Brief in Support of the Opposed Motion to Compel the Identification of Confidential Informants [146, 817, and 286], under the United States District Court for the District of New Mexico's Local Criminal Rule 47.9. The United States, under D.N.M.LR-Cr. 47.1, contacted Defendant Christopher Garcia's counsel; they do not oppose. Additionally, Counsel for co-Defendants do not oppose this motion.¹

The United States requests the Court's leave to file its response in excess of the 24-page limit, because of the complexity of the case, and because, for 17 confidential informants, the United States needs to address the analysis concerning disclosure the identity of confidential informants under the Government's informant privilege that the United States Supreme Court articulated in Roviaro v. United States, 353 U.S. 53 (1957).

WHEREFORE, for the foregoing reasons, the United States of America respectfully

¹ The United States sent an email asking all counsel to respond with opposition by noon, January 23, 2017, or the United States would assume there was no opposition. Counsel either responded that they did not oppose this extension, or did not respond.

requests that this Court grant the United States' unopposed motion for the Court's leave to file its response to Defendant Christopher Garcia's Supplemental Brief in Support of the Opposed Motion to Compel the Identification of Confidential Informants [146, 817, and 286] in excess of the 24-page limit set by Local Criminal Rules.

Respectfully Submitted,

DAMON P. MARTINEZ
United States Attorney

Electronically filed on 1/25/17

MARIA Y. ARMIJO
RANDY M. CASTELLANO
MATTHEW M. BECK
Assistant United States Attorneys
555 S. Telshor Blvd., Suite 300
Las Cruces, NM 88011
(575) 522-2304 – Tel.

I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send electronic notification to defense counsel of record on this date.

/s/

MATTHEW M. BECK
Assistant United States Attorney